

***TRI-CITIES AREA  
METROPOLITAN  
PLANNING  
ORGANIZATION DRAFT  
FY22 UNIFIED PLANNING  
WORK PROGRAM***

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Draft May 2021

## Disclaimer

*This document reflects the views of the Tri-Cities Area Metropolitan Planning Organization. The staff of the Crater Planning District Commission is responsible for the facts and the accuracy of the data presented herein. The contents may not reflect the views or policies of the Federal Highway Administration, the Federal Transit Administration, or the Commonwealth Transportation Board. This report is not a standard, specification, or regulation. Acceptance of this document by the Federal Highway Administration and the Federal Transit Administration, is evidence of fulfillment of the objectives of this planning document, does not constitute approval for the location and design or commitment to fund improvements. Additional environmental assessments and/or studies of alternatives may be necessary.*

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*Si desea que este documento se traduzca al español, póngase en contacto con el MPO en [rsvejkovsky@craterpdc.org](mailto:rsvejkovsky@craterpdc.org)*

## Acknowledgement

The staff of the Crater Planning District Commission prepared this work plan for the Tri-Cities Metropolitan Planning Organization in cooperation with the U. S. Department of Transportation, Federal Highway Administration (FHWA), Federal Transit Administration (FTA), the Virginia Department of Transportation (VDOT) and the Virginia Department of Rail and Public Transportation (DRPT).

## Title VI Non-Discrimination

### Non-Discrimination

The Tri-Cities Metropolitan Planning Organization (MPO) complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, see <http://www.craterpdc.org/transportation/titlevi.htm>

### NO DISCRIMINACIÓN

La Organización Tri-Cities Area Metropolitana de Planificación (TCAMPO) Cumple totalmente con el Título VI de la Ley de Derechos Civiles de 1964 y los estatutos y los reglamentos relacionados con toda programas y actividades. El TCAMPO se esforzará para proporcionar ajustes razonables y servicios para personas que requieran asistencia especial para participar en este público oportunidad de participación. Para obtener más información sobre el cumplimiento de la accesibilidad, o para obtener una Formulario de Queja Título VI, ver <http://www.craterpdc.org/transportation/title.vi.htm> o llame al Título VI Coordinador en el 804-861-1666.

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**Table 1: Tri-Cities Area MPO Policy Committee Members**

Jurisdiction	Representative
<b>Chesterfield County</b> Mr. Kevin Carroll <b>Voting</b>	
<b>Colonial Heights</b> Mr. John Wood <b>Voting (Chair)</b>	
<b>Crater Planning District Commission</b> Mr. Alec Brebner <b>Voting</b>	
<b>Dinwiddie County</b> Mr. William Chavis <b>Voting (Vice Chair)</b>	
<b>City of Hopewell</b> Ms. Brenda S. Pelham <b>Voting</b>	
<b>City of Petersburg</b> Mr. Samuel Parham <b>Voting</b>	
<b>Petersburg Area Transit</b> Mr. Charles Koonce <b>Voting</b>	
<b>Prince George County</b> Mr. T. J. Webb <b>Voting</b>	
<b>For the Secretary of Transportation</b> Mr. Shane Mann, P. E. <b>Voting</b>	
<b>MPO Secretary – Non-voting</b> Mr. Ron Svejkovsky	

Table 2: Self Certification Checklist

Federal Title/Requirement	Summary	Compliance Status
23 U. S. C. 134	Encourages safe, efficient, surface transportation systems.	Complies
49 U. S. C. 5303	Encourages safe, efficient transportation systems to meet mobility needs in urbanized areas.	Complies
42 U. S. C. 7504, 7506(c), 7506(d); 40 CFR § 93	General Conformity and Transportation Conformity	Complies
Title VI of the Civil Rights Act of 1965 as Amended) (42 U. S. C 2000d 01) (49CFR § 21)	Prohibits discrimination based on race, color, or national origin in programs receiving federal financial assistance	Complies
49 U. S. C. 5332	Prohibits discrimination based upon race, color creed, national origin, sex, or age in employment or business opportunity.	Complies
Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26	Regarding the involvement of disadvantaged business enterprises in DOT funded projects	Complies
23 CFR part 230	Regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts	Complies
The Americans with Disabilities Act of 1990 (42 U.S.C. 12101et seq.) and 49 CFR parts 27, 37, and 38		Complies
The Older Americans Act, as amended (42 U.S.C. 6101)	Prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance	Complies
Section 324 of title 23 U.S.C	Prohibits Discrimination based on gender	Complies
) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 r	regarding discrimination against individuals with disabilities	

**Self-Certification Resolution**

**Adoption Resolution**

**USDOT Approval**

To be added upon receipt

**DRPT Approval**

To be added upon receipt

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## Introduction

Congress intends that the Metropolitan Planning Process be:

- Continuous,
- Cooperative,
- Comprehensive
- Performance Based and
- Multimodal (USDOT, 2016).

The Tri-Cities Metropolitan Planning Organization was created on March 21, 1974, under Title 23 of the United States Code, by cooperative agreement between the Crater Planning District Commission and the Virginia Department of Highways. The Cities of Colonial Heights, Hopewell, Petersburg and the Counties of Chesterfield, Dinwiddie and Prince George entered into subsequent agreements in support of a continuing transportation planning process for the metropolitan area. On November 7, 1979 Virginia's Secretary of Transportation designated the Tri-Cities Area Policy Committee as the Metropolitan Planning Organization for the Tri-Cities Area. Figure 1 is a map showing the study area and the member jurisdictions.

## Organization and Structure

The MPO consists of a Policy Committee and a Technical Committee. The Policy Committee is responsible for transportation planning for the region including:

- the Unified Planning Work Program (UPWP);
- the Metropolitan Transportation Plan (MTP);
- the Metropolitan Transportation Improvement Program (MTIP);
- the Congestion Management Process (CMP);
- the Public Participation Plan;
- the Title VI Compliance Plan; and
- Ensuring that plans meet federal requirements.

Elected representatives from the six study area jurisdictions, appointed representatives from the Office of the Virginia Secretary of Transportation, the Crater Planning District Commission (CPDC) and Petersburg Area Transit (PAT) are the voting members of the MPO – Policy Committee. Representatives from the Federal Transit Administration, the Federal Highway Administration and the Virginia Department of Rail and Public Transportation (VDR&PT) also participate on the MPO – Policy Committee as nonvoting members. Table 1 lists the current members of the MPO's Policy Committee and the agency or jurisdiction that they represent.

The Technical Advisory Committee is composed of representatives from public works, engineering, planning, or traffic engineering staffs of the six local jurisdictions, VDRPT, VDOT, PAT and the CPDC. It gives technical support to the Policy Committee. Representatives of Fort Lee, Ridefinders, and the National Park Service at Petersburg



National Battlefield serve on the Technical Committee as advisory members because of their importance to the Tri-Cities area.

The Tri-Cities Area Unified Planning Work Program includes an MPO management section, a work program section, and appendices. The management section describes the overall metropolitan transportation planning process. The work program section describes each work element, estimated cost, funding sources, and identifies the responsible agency or agencies. The appendices section includes the Title VI/Non Discrimination Assurance (DOT Order No.1050.2A), PL authorization letter, etc. *The purpose of the UPWP is to ensure that the MPO successfully produces all its required products and complies with Federal and Commonwealth requirements.*

Memoranda of Agreement for the planning process in the Tri-Cities Area have been executed between regional and State transportation and air quality planning agencies pursuant to 23 CFR Part 450.310. These agreements define the roles and responsibilities of each participating agency. The agreements and consultation procedures for transportation and air quality planning have been developed to comply with metropolitan transportation and air quality planning requirements. These planning agreements were updated during FY19 under Task 1.0 to reflect changes in Federal and State transportation planning regulations since January 2009.

The job of the Metropolitan Planning Organization includes:

- 1) establish policy for the continuing, cooperative, and comprehensive transportation planning process;
- 2) determine when a re-evaluation of metropolitan plans and programs are needed;
- 3) review the results of the re-evaluation;
- 4) determine the influence of current data upon the metropolitan plans and programs in relation to previous data and projected trends;
- 5) cooperate in forecasting travel demand;
- 6) cooperate in the analysis of alternate transportation facilities;
- 7) cooperate on other work on the metropolitan transportation study;
- 8) review the design and location of projects and programs;
- 9) monitor the development of the State Implementation Plan, including the mobile source emission budget for the metropolitan area;
- 10) monitor development of any transportation control measures that may be required for the metropolitan area;
- 11) approve conformity findings required for the long-range plan and the transportation improvement program for the metropolitan area;
- 12) Approve those transportation plans and programs required by the U. S. Department of Transportation.

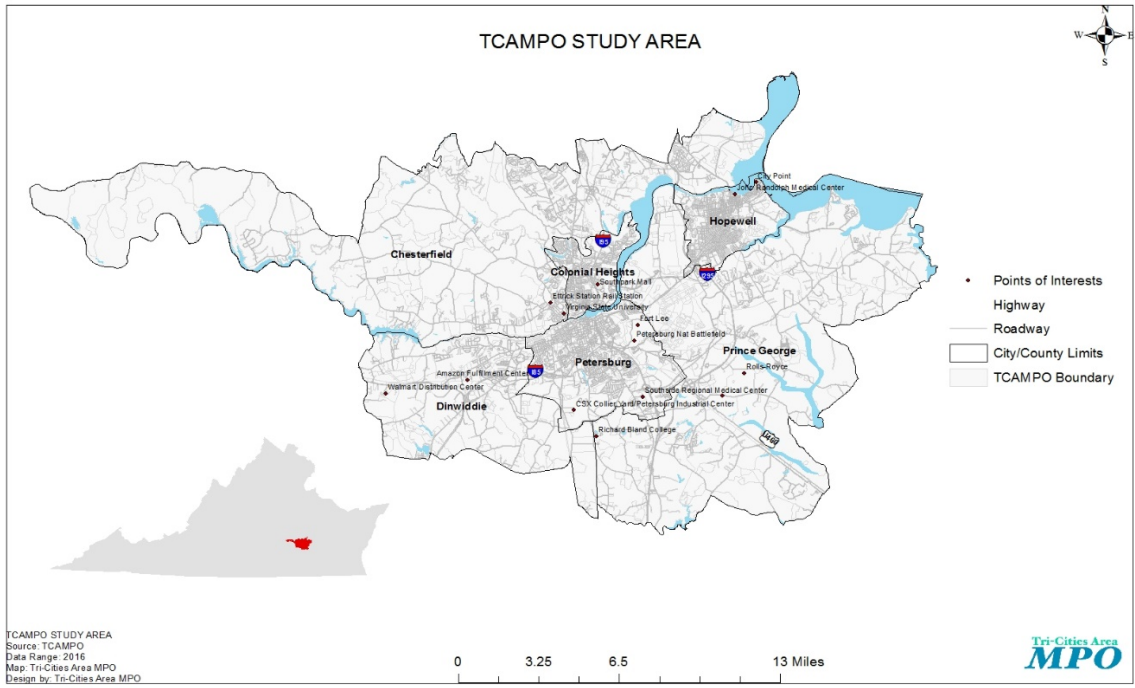


Figure 1: Tri-Cities MPO Study Area

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## FY21 UPWP Accomplishments

Below are the accomplishments made during FY21:

- Continued work on *Plan2045*, completion due August 2022
  - Administered Vision, Goals, and Objective Metroquest Survey
  - Completed creation of *Plan2045* webpage
- Completed the Updated TCAMPO webpage
- Created new TCAMPO Facebook page and Instagram page
- Updated the FFY 2021-2024 Metropolitan Transportation Improvement Program (“rollover”)
- Transit Strategic Plan (TSP) underway
- Adopted MPO 2021 Safety, PTASP, and mid-term Asset Management Targets
- Continued the RSTP/CMAQ Procedures Update (performance-based planning process)
- Allocated RSTP/CMAQ funds to projects for the FY21-26 and FY22-27 SYIPs
  - Interim CMAQ project application process
- Approved the FY22 UPWP
- Submitted SMART SCALE Applications, worked on validations, and scores/results
- Participated in various studies and plans, including the Petersburg Bike-Walk Plan, PHOPS, etc.
- Began *Performance Based Planning Process* with OIPI on-call consultant

## FY22 UPWP Summary of Tasks

- 2045 MTP – continued work, “the major MPO task”, performance-based planning process, completion due August 2022
- Complete *Performance Based Planning Process* with OIPI on-call consultant
- Amend the *FFY 2018-21 Metropolitan Transportation Improvement Program* as needed
- Adopt MPO 2022 Safety Performance Targets
- Complete *RSTP/CMAQ Procedures* update (performance based process)
- Complete the Transit Strategic Plan (TSP)
- RSTP/CMAQ new applications and allocations for FY23-27 SYIP
- Federal quadrennial certification review of MPO (Fall of 2021)
- Update Public Participation and Title VI Policies (likely needed as result of federal certification)
- Begin applications assistance etc. for Round 5 of SMART SCALE (applications due August 1, 2022)
- Complete and approve the *FY23 UPWP*
- I-95 and I-85 Corridor Improvement Plans and funding
- Requested Special Studies (*not funded or selected*):
  - Rives Road Corridor, Crater Rd to Rt 460, including I-95/Rives Rd Interchange (with proposed development)

- VDOT Study for the Prince George Section of the Appomattox River Trail.
- Rt 460 safety study (was requested during Relocated 460 scope downgrade)
- I-85 NB to I-95 SB (MPO Priority 1) – further analysis of design options
- Recommended studies from *I-95 Interim Corridor Improvement Plan*
  - I-95/Roslyn (Southpark) interchange
  - Wagner Road interchange – remove weaving

### Major Transportation Planning Products

Table 3 shows the products the MPO must produce and the status of each product. All our required products are expected to be up to date.

**Table 3: MPO Planning Products**

Planning Product	Status	Comments or Notes
<b>Boundary Review</b>	Current	Performed after each decennial census
<b>Congestion Management Process (CMP)</b>	Current	The MPO revised its CMP in 2016 using a consulting engineer to perform the work.
<b>Metropolitan Transportation Plan (MTP)</b>	Current	Adopted by the MPO on August 10, 2017. The SE Data for the upcoming FY 2045 MTP was completed and approved in FY20.
<b>Metropolitan Transportation Improvement Program (MTIP)</b>	Current	The MPO adopted the <i>FFY 2021-24 MTIP</i> in the Spring of 2020 and amends various projects during the year to maintain consistency with Commonwealth of VA programs
<b>Obligation Report</b>	Current	FFY 2020 Report is online
<b>Performance Measures</b>	Current	<ul style="list-style-type: none"> <li>• 2020 Bridge, Pavement, and System Performance – revised February 25, 2021</li> <li>• 2021 Safety – February 25, 2021</li> <li>• 2020 Transit Asset Management – April 9, 2020</li> <li>• Transit Agency Safety Plan – September 10, 2020</li> </ul>
<b>Quadrennial Certification Review</b>	Current	Completed in 2017. The MPO received USDOT’s report and addressed the corrective actions identified. (See below). The next certification review will occur in early FY22.
<b>Special Projects</b>		
<b>Transit Development Plan</b>	Current	Completed in 2019. We intend to amend the long-range transportation plan to reflect the TDP. A Transit Strategic Plan was underway in FY20 and will be completed in FY21.
<b>Stakeholder Participation Plan</b>	Current	Adopted by the MPO September 10, 2015
<b>Title VI Compliance Plan</b>	Current	Adopted by the MPO February 25, 2016
<b>Unified Planning Work Program (UPWP)</b>	Current	This UPWP replaces the UPWP adopted in June 2020
<b>VA Six Year Improvement Program</b>	Current	Revised each Year under CTB Guidance
<b>Bylaws (corrective action)</b>	Current	The Updated Bylaws were adopted in FY20.

## Overall Transportation Planning Priorities

Table 4 shows the MPO's plan for meeting the federal transportation planning requirements, covering eight fiscal years, beginning in fiscal 2021 and the planning products that need to be completed each year. Solid boxes (■) show recently completed products. Empty boxes (□) show work that needs to be done in a year. Red empty boxes (□) shows lapsed products.

The product schedules are based upon the timelines set out in the Federal Register or agency policy.

**Table 4: Long Term Work Schedule**

Product/Task	FY21	FY22	FY23	FY24	FY25	FY26	FY 27	FY28
Boundary Review		□	□					
Congestion Management Process	□		□		□		□	
Metropolitan Transportation Improvement Program			□			□		
Metropolitan Transportation Plan	□	□					□	□
Obligation Report	■	□	□	□	□	□	□	□
Performance Report	□	□	□	□	□	□	□	□
Self-Certification	■	□	□	□	□	□	□	□
Quadrennial Certification Review		□				□		
Special Projects	□	□	□	□	□	□	□	□
VDOT Planning Master Agreements								
DRPT Planning Master Agreements								
Coordinated Human Services Transportation Plan								
Update Functional Classification			□					
Update Public Participation Plan		□				□		
Update Title VI Compliance Plan		□				□		
Transit Development Plan								
Transit Strategic Plan	□			□			□	
UPWP	■	□	□	□	□		□	
Virginia Six Year Improvement Program	■	□	□	□	□		□	

## FY 22 Work Program

As noted above, Table 4 sets out a long-term schedule for the MPO including the upcoming year. The intent of the work program is to deliver the products in Table 4 on time. The work program is the key element of the Unified Planning Work Program. It describes the work the MPO staff intends to perform during the upcoming year and the products that the MPO will produce as evidence that the work has been completed.

The work of the MPO will be performed by the full time MPO Director with other members of the Crater PDC staff allocating parts of their time to MPO. Figure 2 gives the MPO's work breakdown structure.

Table 5 shows the coming year's planned work by task and month. The four columns on the far right of indicate the responsible organization. An 'A' indicates that the organization has the main responsibility for the task. A 'B' indicates a secondary role for the organization.

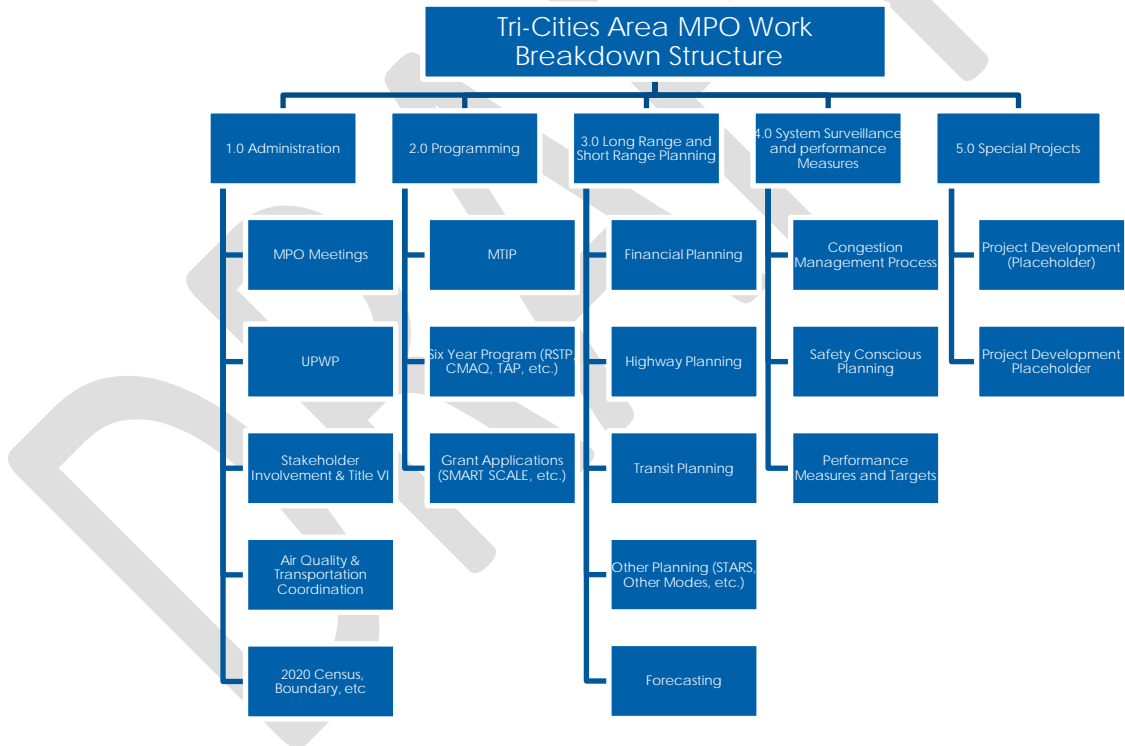


Figure 2: The MPO's Work Breakdown Structure

Table 5: Tentative Schedule

WBS and Task Description	Schedule												Task Owner				
	July	August	September	October	November	December	January	February	March	April	May	June	MPO	PAT	VDOT	VDRPT	Consultant
1.0 Administration	o	o	o	o	o	o	o	o	o	o	o	o	A	B	B	B	
2.0 Programming	o	o	o	o	o	o	o	o	o	o	o	o	A	B	B	B	
3.0 Long- and Short-Range Planning	o	o	o	o	o	o	o	o	o	o	o	o	A	B	B	B	
4.0 System Surveillance and Performance Measures	o	o	o	o	o	o	o	o					A	B	B	B	B
5.0 Special Projects																	



## Task 1: Administration of the Transportation Planning Process

Task 1 - Administration is broken down into four subtasks as described below. The MPO has allocated \$222,000 from all sources to administration as shown in Table 6. (note: an additional \$30,000 in support is provided by VDOT staff each year and is noted in the complete budget section for information only). Being a small MPO, this task is a large percentage of the MPO staff time. This task is pretty consistent throughout the years.

**Table 6: Task 1 Administrative Budget**

UPWP FUND	Task 1 - Administration			
	Fed	State	Local	Total
<b>PL 104</b>	\$140,000	\$17,500	\$17,500	\$175,000
<b>FTA Sec 5303</b>	\$37,600	\$4,700	\$4,700	\$47,000
<b>RSTP Supplement</b>				
<b>TOTAL</b>	\$177,600	\$22,200	\$22,200	\$222,000

### MPO Meetings

This subtask includes the time needed to prepare for, and attend, Policy Committee Meetings and Technical Advisory Committee Meetings including preparation of agendas, draft and final meeting minutes, and attending the meetings. Typically, the MPO schedules monthly meetings for both committees except for July and December. The MPO expects to produce the following products from this task:

- Attending ten Policy Committee meetings and nine Technical Advisory Committee meetings;
- Ten agendas for Policy Committee Meetings;
- Ten agendas for Technical Advisory Committee Meetings;
- Ten draft minutes and nine final minutes for Policy Committee Meetings;
- Ten draft minutes and nine final minutes for Technical Advisory Committee Meetings; and
- Distributing the products listed above by email and the internet to members and stakeholders, and placing advertisements for the meetings, agendas, and minutes on the MPO's webpage and Facebook page.

### Unified Planning Work Program, Invoicing, Progress Reporting and Certification

This subtask includes developing the Unified Planning Work Program (UPWP), monitoring completion of the tasks in the UPWP, reporting progress to the Policy Committee, VDOT, VDRPT, FHWA and FTA reviewing PL, RSTP, and Section 5310 invoices and submitting those invoices and progress reports to the listed agencies. It also covers certification that the planning process meets federal requirements. All MPOs self-certify their compliance

annually. Our compliance with each federal requirement is included as Table 2. A copy of the most recent self-certification resolution is included on page 3 of the UPWP.

Key tasks for the Subtask are:

- Developing, monitoring and amending each year's UPWP;
- Reviewing and submitting four invoices to DRPT and VDOT each year;
- Preparing four progress reports and a final report (combined with the fourth quarterly report) to DRPT and VDOT each year, and
- Monitoring compliance with the federal requirements.

In FY22, the quadrennial USDOT Planning Certification Process for TCAMPO is expected in the Summer/Fall of 2021. As a Transportation Management Area (TMA), the Tri-Cities MPO is subject to a certification audit every four years. USDOT last performed an audit in September of 2017.

Also, the MPO laptop and desktop computers are outdated and will be replaced in FY22 with a laptop with docking station and monitor.

#### **Stakeholder Involvement and Title VI Compliance**

Because the MPO is allocating public money, 23 CFR Part 450.316 requires that MPOs consult with interested parties. As a recipient of federal funds, we are subject to the requirements of Title VI of the Civil Rights Act of 1964. Our Public Participation Plan and Title VI plan were updated in 2016. The MPO is allocating FTA 5303, PL, and local money to public participation and Title VI compliance.

Beginning in 2018, the MPO has been including a bi-lingual statement on the cover sheets of its Metropolitan Transportation Plan, Metropolitan Transportation Improvement program and Unified Planning Work Program. The statement follows:

- If you would like this document translated to Spanish, please contact the MPO at [rsvejkovsky@craterpdc.org](mailto:rsvejkovsky@craterpdc.org) and
- *Si desea que este documento se traduzca al español, póngase en contacto con el MPO en [rsvejkovsky@craterpdc.org](mailto:rsvejkovsky@craterpdc.org)*

#### **Air Quality and Transportation Planning Coordination**

The MPO is in attainment for the National Ambient Air Quality Standards. On February 16, 2018 the DC Circuit Court of appeals reinstated transportation conformity for the 1997 eight-hour ozone standard. During FY19, the MPO completed a transportation conformity determination, as an orphan nonattainment/maintenance area, under the 1997 eight-hour ozone standard for its Long-Range Transportation Plan and Metropolitan Transportation Improvement Program. The MPO is expected to adopt a new *Metropolitan Transportation Plan* Conformity Report during FY22.

### 2020 Census and Metropolitan Planning Area Boundary Update

It is expected that in FY22 the 2020 Census results will be released. Starting in FY22 and into FY23, the Metropolitan Planning Boundary will be updated (the boundary with RRTPO will remain the same).

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## Task 2: Programming

Programming is the process of prioritizing, selecting, funding and scheduling projects. Programming is divided into three subtasks discussed below and shown in Table 7. This task also includes applying for and assisting member with competitive grants. The MPO is devoting \$30,000 to programming for the upcoming year.

**Table 7: Task 2 Programming Budget**

<b>UPWP FUND</b>	<b>Task 2 - Programming</b>			
	<b>Fed</b>	<b>State</b>	<b>Local</b>	<b>Total</b>
<b>PL 104</b>	\$20,000	\$2,500	\$2,500	\$25,000
<b>FTA Sec 5303</b>	\$4,000	\$500	\$500	\$5,000
<b>RSTP Supplement</b>				
<b>TOTAL</b>	\$24,000	\$3,000	\$3,000	\$30,000

### The Metropolitan Transportation Improvement Program

The MPO adopted its *FFY 2021 to 2024 Metropolitan Transportation Improvement Program* on April 9th, 2020.

Revising the MTIP is common and we are allocating staff time and funds to keeping the MTIP consistent with the STIP and Six-Year Improvement Program.

### The Six Year Improvement Program (SYIP)

The MPO staff will coordinate with VDOT and local agencies administering CMAQ, RSTP and MPO-allocated TAP prioritized projects regarding the scheduling and the allocation of funding for the next Six-Year improvement Program update. Typically, this update takes place in the winter and spring quarters and involves updating schedules and estimates although it may also include recommending new projects for the Six-Year Improvement Program.

### Prioritization and Grant Applications

Each year there are opportunities to submit requests for competitive grants. Some of these funding sources are controlled by the MPO. Others are controlled by the Commonwealth of Virginia or the Federal Government. These grants include BUILD, RSTP, CMAQ, TAP, and SMART SCALE.

In addition, the latest round of SMART SCALE applications opened in March of 2020 and extended into the following fiscal year with final approval by the Commonwealth Board of Transportation in June 2021. The next round will begin in FY22 and be completed in FY23. The MPO is including funding in this UPWP Task to work cooperatively with our member

jurisdictions to develop SMART SCALE applications and to develop up to four applications of our own.

Annual Obligation Report - the annual obligation report for federal funds, required by 23 CFR Part 450.33, is also included in this task.

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### Task 3: Long-Range and Short-Range Planning

This task includes the tasks needed to develop and maintain the Metropolitan Transportation Plan (MTP) required in 23 CFR Part 450.324. This is expected to be at the high point in the cycle **and the major task of the MPO in FY22**, and the MPO is allocating \$63,841 for this task, including \$25,000 of RSTP Supplement for the 2045 MTP. The money programmed includes staff time for the Transit Strategic Plan (TSP).

**Table 8: Task 3 Long Range and Short Range Planning Budget**

<b>UPWP FUND</b>	<b>Task 3 - Long and Short Range Planning</b>			
	<b>Fed</b>	<b>State</b>	<b>Local</b>	<b>Total</b>
<b>PL 104</b>	\$20,000	\$2,500	\$2,500	\$25,000
<b>FTA Sec 5303</b>	\$11,073	\$1,384	\$1,384	\$13,841
<b>RSTP Supplement</b>	\$20,000	\$5,000	\$0	\$25,000
<b>TOTAL</b>	\$51,073	\$8,884	\$3,884	\$63,841

#### Plan2045 Metropolitan Transportation Plan (MTP)

Under §450.306 (Scope of the metropolitan transportation planning process), the metropolitan transportation planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following factors:

- 1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- 2) Increase the safety of the transportation system for motorized and non-motorized users;
- 3) Increase the security of the transportation system for motorized and non-motorized users;
- 4) Increase accessibility and mobility of people and freight;
- 5) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- 6) Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- 7) Promote efficient system management and operation;
- 8) Emphasize the preservation of the existing transportation system;
- 9) Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; (new) and
- 10) Enhance travel and tourism (new).

The Tri-Cities Area MPO formally began its *Plan2045* LRTP/MTP in Late Spring/Early Summer 2020 (completion due August 2022) which will first include the development of the MPO's vision, goals, and policies. This task includes an intensive public participation outreach (similar to the I-81, I-95, and ATP public outreaches). Due to an extremely limited staff (one full time and a little assistance from the PDC), the Tri-Cities Area MPO secured the assistance from VDOT and Metroquest to engage the public in its LRTP/MTP efforts.

In order to develop a quality performance -based planning and programming process to guide us in the *Plan2045* development process, the Office of Intermodal Planning and Investment (OIPI), (under its Growth and Accessibility Planning Technical Assistance Program (GAP)) has engaged its on-call consultant who has experience in performance-based planning and programming. The effort began in the Spring of 2021 and will end in early 2022 (this work is also being included in Task 4).

The full *Plan2045* MTP schedule would be 1 1/2 - 2 years and will be completed in the Summer of 2022.

### **Financial Planning**

The previous financial plan was completed as part of the 2040 Update of the Metropolitan Transportation Plan. In February 2021, VDOT provided their annual revenue forecast (which extends to the year 2050.) Staff expects this task to occur mainly in FY22.

### **Highway Planning**

The highway element of the Metropolitan Transportation Plan was completed as part of the 2040 Update of the Metropolitan Transportation Plan. Staff expects this portion of *Plan2045* to occur in FY22.

### **Transit Planning**

As discussed above, the Transit Development Plan was completed in 2019. This product was jointly developed by the MPO and the transit provider (PAT). Staff is working with DRPT and PAT to develop the Transit Strategic Plan (TSP). This work is expected to be completed by the end of 2021.

### **Planning for Other Modes**

Other planning includes all planning not included under financial planning, highway planning, transit planning or forecasting. This includes planning for freight, ports, bicycles and pedestrians, and systems level environmental planning.

There are now two bicycle and pedestrian planning efforts being completed in the Tri-Cities region. In FY21, the MPO devoted staff time to support (not conduct) these efforts. The MPO plans on including the results of these efforts in *Plan2045* to broaden the project funding options for projects from these projects. Moving from north to south the other modes efforts are:

- VDOT's Ashland to Petersburg Trail Study that began in 2019 and was completed in early 2020 with the intent of defining a bicycle and pedestrian corridor beginning at Ashland going south to Richmond and crossing the Appomattox River and ending at Patton Park and the Appomattox Regional Trailhead in Petersburg;
- The Bike-Walk Petersburg element of updating Petersburg's Comprehensive Plan, a cooperative effort of SportsBackers, the Cameron Foundation, the City of Petersburg, the Friends of the Lower Appomattox River (FOLAR), and the MPO

The results of these projects will be included in *Plan2045*, the *Metropolitan Transportation Improvement Program* and SMART SCALE applications.

### Forecasting

Forecasting is an important part of transportation planning. By law the MPO's transportation plan must have at least a twenty-year time horizon when the policy board approves it. The MPO collaborated with the Richmond Regional TPO to develop the socioeconomic data needed for the travel demand model update and *Plan2045* (due for adoption in August 2022).



## Task 4: System Surveillance and Performance Measures

System surveillance, (monitoring the system) helps the MPO monitor trends in the physical condition of the system, the demand on the system, and the safety of the system. It provides vital feedback to let us know if the policies, programs, and projects we are implementing are having the desired impact. The MPO is allocating \$50,113 to system surveillance and performance measures this year including, \$20,000 of RSTP Supplement for the work with the on-call consultant.

As noted in Task 3, OIPI is providing on-call consultant services to assist the MPO in developing its performance-based planning and programming. This task is also a major part of the MPO in the development of *Plan2045* (and also funded under Task 3) and is needed to develop the federally mandated performance measures and targets. Performance measures under the FAST ACT include:

- Safety;
- Bridge Condition;
- Pavement Condition,
- Highway System Performance,
- Transit Asset Management, and
- Public Transportation Safety

These performance measures and targets will be key portions of the text of *Plan2045*.

**Table 9: Task 4 System Surveillance and Performance Measures Budget**

<b>UPWP FUND</b>	<b>Task 4 - Surveillance and Performance Measures</b>			
	<b>Fed</b>	<b>State</b>	<b>Local</b>	<b>Total</b>
<b>PL 104</b>	\$16,135	\$2,017	\$2,017	\$20,169
<b>FTA Sec 5303</b>	\$7,955	\$994	\$994	\$9,944
<b>RSTP Supplement</b>	\$16,000	\$4,000	\$0	\$20,000
<b>TOTAL</b>	\$40,090	\$7,011	\$3,011	\$50,113

### Congestion Management Process

The MPO updated its congestion management process in 2016. The report of that study is available on the MPO's website. In addition, information from that study was included in the 2040 Metropolitan Transportation Plan.

### Safety Conscious Planning

The product of this task will include a review of available information on hazardous traffic locations and accident information within the transportation study area. This information will be profiled and reviewed by the MPO committees and considered as a factor in

evaluating RSTP candidate projects and for the prioritization of candidate projects for the Metropolitan Transportation Improvement Programs and Metropolitan Transportation Plans.

### **Performance Measures and Targets**

The MPO is required by federal and state law to maintain and report performance measures each year. The MPO tracks approximately thirty performance measures now and uses them to refine its goals and objectives and inform its maintenance and construction priorities. As noted earlier, the adopted performance measures categories include:

- Safety (updated annually)
- System Performance
- Asset Condition (Bridges and Pavement; updated every 4 years)
- Transit Asset Management
- Public Transit Agency Safety Plan

The TCAMPO has carried out some portions of performance-based planning (with assistance by OIPI, VDOT, and DRPT). As noted earlier, The Tri-Cities Area MPO has been selected by OIPI to utilize OIPI's Growth and Accessibility Planning (GAP) on-call resources which will provide needed technical assistance with developing a full performance-based planning process which includes:

- Identification, validation, calibration, and selection of performance measures and associated thresholds for a performance-based planning process
- Development of a detailed performance-based planning process template
- Identification and assignment of roles and responsibilities of all stakeholders for a performance-based planning process
- Development of data structure and document templates for a performance-based planning process

These GAP efforts will relate to these MPO efforts and processes:

- The Plan2045 process and future MTPs
- The update to the RSTP/CMAQ prioritization process, which began in the Fall of 2019 and is still in progress. In particular, the MPO is developing a data-driven, performance-based process. It is hoped that this is ready for the next SYIP round of the RSTP/CMAQ allocation process.

## Task 5: Special Projects

The MPO feels that it is useful to maintain a separate task item for special projects. These projects are outside the normal scope of the MPO’s work but are important for advancing projects to funding or construction. These projects are hard to integrate into the MPO’s routine work because of complexity, staff availability or schedule conflicts. Special projects are often managed by the MPO, funded by others, and performed by contractors.

**Table 10: Task 5 Special Projects Budget**

<b>UPWP FUND</b>	<b>Task 5 - Special Studies</b>			
	<b>Fed</b>	<b>State</b>	<b>Local</b>	<b>Total</b>
<b>PL 104</b>				
<b>FTA Sec 5303</b>				
<b>RSTP Supplement</b>				
<b>TOTAL</b>				

The MPO has chosen to include placeholders for up to two special projects in the UPWP. The placeholders are included to ensure flexibility going forward.

For example, in previous years, Task 5 covered staff time devoted to the developing the Environmental Assessment for the Tri-Cities Multi-Modal Rail Station and covered costs associated with Bicycle Crossing Feasibility Study for the Lower Appomattox River and the Benjamin Harrison Bridge.

**Project Development (A)**

**Project Development (B)**

**Table 11: Complete Budget**

UPWP TASK	PL 104				FTA Sec 5303				RSTP Supplement				TOTAL			
	Fed	State	Local	Total	Fed	State	Local	Total	Fed	State	Local	Total	Fed	State	Local	Total
<b>Task 1 - Administration</b>	\$140,000	\$17,500	\$17,500	\$175,000	\$37,600	\$4,700	\$4,700	\$47,000					\$177,600	\$22,200	\$22,200	\$222,000
<b>Task 2 - Programming</b>	\$20,000	\$2,500	\$2,500	\$25,000	\$4,000	\$500	\$500	\$5,000					\$24,000	\$3,000	\$3,000	\$30,000
<b>Task 3 - Long and Short Range Planning</b>	\$20,000	\$2,500	\$2,500	\$25,000	\$11,073	\$1,384	\$1,384	\$13,841	\$20,000	\$17,000	\$0	\$25,000	\$51,073	\$20,884	\$3,884	\$63,841
<b>Task 4 - Surveillance and Performance Measures</b>	\$16,135	\$2,017	\$2,017	\$20,169	\$7,955	\$994	\$994	\$9,944	\$20,000	\$17,000	\$0	\$20,000	\$44,090	\$20,011	\$3,011	\$50,113
<b>Task 5 - Special Projects</b>																
<b>GRAND TOTAL</b>	\$196,135	\$24,517	\$24,517	\$245,169	\$60,628	\$7,579	\$7,579	\$75,785	\$40,000	\$34,000	\$0	\$45,000	\$296,763	\$66,095	\$32,095	\$365,954

Note: An additional \$30,000 in support is provided by VDOT staff each year and is noted for information only.

Table 12 Shows the FY22 PL and Sec 5303 funding and funding carryover from earlier fiscal years. The Tri-Cities MPO typically has not had a carryover balance for several years from either FHWA’s PL 104 or FTA’s Section 5303 funds. The MPO has a small amount of carryover FY20 PL funds available to program.

**Table 12: FY22 PL and Sec 5303 Allocations and FY20 Carryover Funds**

	Federal	State	Local	Total
FY20 Carryover Highway (PL)	\$5,346	\$668	\$668	\$6,683
FY 22 Highway (PL)	\$190,788	\$23,848	\$23,848	\$238,485
Carryover FTA	\$-	\$-	\$-	\$-
FY 22 FTA (5303)	\$60,627	\$7,579	\$7,579	\$75,785
<b>Total for FY22</b>	\$256,761	\$32,065	\$32,065	\$320,954

# APPENDICES

DRAFT

**APPENDIX A: TITLE VI/NONDISCRIMINATION ASSURANCE**  
(DOT Order No.1050.2A)

The Crater Planning District Commission/ Tri-Cities Area Metropolitan Planning Organization (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the *Federal Highway Administration (FHWA)*, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat 252), (prohibits discrimination based on race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination in Federally-Assisted Programs of The Department of Transportation- Effectuation of Title VI of The Civil Rights Act of 1964*);
- 28 C.F.R. section 50.3 (U. S.2 Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurance

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration.*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 50 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally assisted Highway Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to

an " activity") facilitated or will be (about a "facility") operated or will be (about a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*"The Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award. "*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program , except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein , or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving

- the provision of similar services or benefits; or
- b. The period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement about any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Crater Planning District Commission/ Tri-Cities Metropolitan Planning Organization also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the *FHWA or the Virginia Department of Transportation (VDOT)* access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by *FHWA/VDOT*. You must keep records, reports, and submit the material for review upon request to *FHWA/VDOT*, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Crater Planning District Commission/ Tri-Cities Metropolitan Planning Organization gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the *Federal-Aid Highway Program*. This ASSURANCE is binding on the Commonwealth of Virginia, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the *Federal-Aid Highway Program*.

Crater Planning District Commission/ Tri-Cities Metropolitan Planning Organization

by  \_\_\_\_\_

David W. Hyder



DATED November 6, 2019

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**NONDISCRIMINATION APPENDIX A: Contractor/ Consultant/Supplier Agreement: U.S. DOT 1050.2A --Appendix A**

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally - assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination: The contractor, about the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.

4. Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

a) withholding payments to the contractor under the contract until the contractor complies; and/or

b) cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions

for noncompliance<sup>2</sup> Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient<sup>2</sup> In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

#### **NONDISCRIMINATION APPENDIX B: CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY**

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization will accept title to the lands and maintain the project constructed thereon in accordance with the Virginia General Assembly, the Regulations for the Administration of the Federal-Aid Highway Program and the policies and procedures prescribed by the *Federal Highway Administration* of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization its successors and assigns.

The Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise

subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed[,] [and]\* (2) that the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

#### **NONDISCRIMINATION APPENDIX C: CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM**

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered by the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
  1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.\*
- C. With respect to a deed, in the event of breach of any of the above Nondiscrimination

covenants, the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning and its assigns.\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

**NONDISCRIMINATION APPENDIX D: CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM**

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered by the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.\*
- C. With respect to deeds, in the event of breach of any of the above Nondiscrimination covenants, the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization will there upon revert to and vest in and become the absolute property of the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization and its assigns. \*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

**NONDISCRIMINATION APPENDIX E: Contractor/Consultant/Supplier Agreements: U.S. DOT 1050.2A --Appendix E**

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination based on race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 32 *et seq.*), (prohibits discrimination based on sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 79 *et seq.*), as amended, (prohibits discrimination based on disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination based on age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination based on disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination based on race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP)<sup>2</sup> To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you

from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq*).

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**APPENDIX B: PL Authorization Letter**

To be added upon receipt.

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## **APPENDIX C: Letter of Agreement**

To be added upon receipt.

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## APPENDIX D: Glossary of Terms

Acronym	Definition
AADT	Average Annual Daily Traffic
AASHTO	American Association of State Highway and Transportation Officials
AC	Advanced construction funding (fund type TBD)
ADA	The Americans with Disabilities Act
ARRA	The American Recovery and Reinvestment Act (Economic Stimulus Act) Signed on February 17, 2009.
BAU	Business as Usual
BOM	State bond match
BR	Bridge funds (BR/BROS)
BRAC	Base Realignment and Closing Commission
BROS	Off-system bridge
BST	State bonds
BTP	Bicycle Transit Pedestrian Plan
BTU	The British thermal unit (Btu or BTU) is a traditional unit of work equal to about 1055 joules. It is the amount of work needed to raise the temperature of one pound of water by one-degree Fahrenheit.
BUILD GRANT	Better Utilizing Investments to Leverage Development
CAFÉ	Corporate Average Fuel Economy Standards
CENTERLINE MILE(S)	A centerline mile is a measure of the total length (in miles) of highway facility in-place or proposed, as measured along the highway centerline
CCALS	Commonwealth Center for Advanced Logistics Systems
CCAM	Commonwealth Center for Advanced Manufacturing
CH <sub>4</sub>	Methane
CLASS I RAILROAD	A railroad with annual operating revenue greater than \$250,000,000
CLASS II RAILROAD	A railroad with revenues between those of a Class I and a Class III Railroad.
CLASS III RAILROAD	A railroad with annual operating revenue less than \$20,000,000
CM	CMAQ funds
CM AC CONVERSION	CMAQ planned to be converted
CMAQ	Congestion Mitigation Air Quality
CMP	Congestion Management Process
CNG	Compressed Natural Gas
CPDC	Crater Planning District Commission
CSX	CSX Transportation a Class I Railroad serving the TriCities Area
CTB	Commonwealth Transportation Board
DEMO	Demonstration Project Funds

<b>Acronym</b>	<b>Definition</b>
DRPT	The Virginia Department of Rail and Public Transportation
EB	Equity Bonus (Minimum Guarantee) Funds
EIA	Energy Information Administration
EJ	Environmental Justice as described in Executive Order 12898 and federal guidance derived from that executive order
EN	Enhancement
EPA	The US Environmental Protection Agency
EQMG	Equity Bonus (Minimum Guarantee)
EV	Electric Vehicle
FALL LINE	The edge of the Piedmont/Coastal Plain, where various rivers cross from hard bedrock to soft sediments, is marked by a line of rapids and waterfalls called the Fall Line
FARE	The money a passenger on public transportation must pay
FARE BOX	The total revenue derived from passenger fares
FAST ACT	Fixing America's Surface Transportation Act- The Transportation Authorization Bill signed into law on December 4, 2015
FEMA	Federal Emergency Management Administration
FHWA	Federal Highway Administration
FOLAR	Friends of the Lower Appomattox River
FRA	Federal Rail Administration
FSM	GARVEE Soft Match
FTA	Federal Transit Administration
FY	Fiscal Year
GARVEE	Grant Anticipation Revenue Vehicle – Bonds secured by the expected federal transportation funds in future years.
GHG	Greenhouse Gas
GRV	GARVEE Bonds- Grant Anticipation Revenue Vehicle Bonds secured with future federal aid revenues.
GTRC	Greater Richmond Transit System
HABITAT BUFFER	
HPD	High Priority Demo funds
HPMS	Highway Performance Monitoring System
HSIP	Highway Safety Improvement Program
ICG	Interagency Consultation Group
IM	Interstate Maintenance
IM AC CONVERSION	Interstate Maintenance planned to be converted
INT	Interest Income
ISTEA	The Intermodal Surface Transportation Efficiency Act of 1991. The Federal Transportation Authorization Bill signed on December 18, 1991.
ITS	Intelligent Transportation Systems-Transportation Management System and Technologies intended to improve the performance of the transportation system.

<b>Acronym</b>	<b>Definition</b>
LANE MILE(S)	Lane-mile is a measure of the total length of traveled pavement surface. Lane-miles is the centerline length (in miles) multiplied by the number of lanes.
LCB	Lower Control Bound – In statistical process control the upper control bound represents a highest level of variance from the average that is expected. 99% of measured values should be below the UCB. (See UCB)
LEP	Limited English Proficiency
LOAD FACTOR	The number of passengers divided by the number of seats
LOC	Local funds
LOM	Local match
LOS	Level of Service: A qualitative measure of service
PAT	Petersburg Area Transit
LPG	Liquefied Propane Gas
LPO	Lead Planning Organization
LRP	Long Range Plan
LTO	Landing/Take Off Operations
MAP 21	Moving Ahead for Progress in the 21st Century. The Federal Transportation Authorization Bill signed on June 29, 2012
MG/EB AC CONVERSION	Equity Bonus (Minimum Guarantee) planned to be converted
MGEB	Equity Bonus (Minimum Guarantee)
MIX	Mix of federal (STP/MG/BR/BROS) and state funds
MM	Mile Marker
MPO	Metropolitan Planning Organization
MRAQC	Metropolitan Richmond Air Quality Committee
NEPA	The National Environmental Policy Act of 1970.
NH	National Highway funds
NH AC CONVERSION	National Highway planned to be converted
NHPP	The NHPP provides support for the condition and performance of the National Highway System (NHS), for the construction of new facilities on the NHS, and to ensure that investments of Federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in a State's asset management plan for the NHS.
NHS	The National Highway System
NHTS	National Household Travel Survey
NOVA	Northern Virginia
NO <sub>x</sub>	Oxides of Nitrogen – a chemical compound that contributes to the formation of ground level ozone. NO <sub>x</sub> is usually a product of high temperature high pressure combustion (for example jet engines or diesel engines)
NPS	National Park Service

<b>Acronym</b>	<b>Definition</b>
OC	Open Container
OPR	Operating Revenue
OTHER	Other funds (state, local, etc.)
PE	Preliminary Engineering - Preliminary engineering is the location, design, and related work needed to advance a project to physical construction. Preliminary engineering includes preliminary and final design; both defined in 23 CFR 636. 103, and other project-related work leading to physical construction. This includes costs to perform studies needed to address requirements of the National Environmental Policy Act (NEPA) and other environmental laws. It may include advertising and other pre-award work such as bid analysis, although it is also acceptable to include this work as construction engineering costs.
PPT	TIFIA (Public/Private Partnership)
RSTP	The portion of STP funds allocated to urban areas over 200,000 in population See STP
RSTP AC CONVERSION	Regional STP planned to be converted
RTE.	Route
SAFETEA-LU	Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users: The Federal Transportation Authorization Bill Signed into law on August 10, 2005. In some contexts, it indicates Congressionally earmarked funding.
SEHSR	Southeast High-Speed Rail
SRS	Safe Routes to School funds
STF	State funds
STM	State match
STP	The Surface Transportation Program (STP) provides flexible funding that may be used by States and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals.
STP AC CONVERSION	STP planned to be converted
STP/EN	Enhancement funds
STP/HES	Highway Safety funds
STP/RR	Rail Safety funds
STP/SRS	Safe Routes to School funds
TBD	Fund source to be determined
TEA 21	Transportation Equity Act for the 21 <sup>st</sup> Century the Federal Transportation Authorization Bill Enacted on June 9, 1998.

Acronym	Definition
TEU	Twenty Foot Equivalent Unit (the basic measure of shipping containers) is an inexact unit of cargo capacity describing the capacity of container ships and container terminals. It is based on the volume of a 20-foot-long (6. 1 m) intermodal container, a standard-sized metal box which can be easily transferred between different modes of transportation, such as ships, trains and trucks. The container is defined by its length though the height can be between \$feet 3 inches (1. 30 m) and 9 feet 6 inches (2. 90 m), with the most common height being 8 feet 6 inches (2. 59 m). By volume a TEU is approximately 1,360 cubic feet or 39 cubic meters.
TIGER GRANT	Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program
TIP	Transportation Improvement Program
TITLE VI	Title VI of the Civil Rights Act of 1964
TOL	Tolls
TOLL	Tolls
TON	Long – 2240 pounds Metric or tonne- 1000 kilograms/2200 pounds Short – 2000 pounds Approximately 60 cubic feet by volume
TRAN	DRPT Equity Bonus
TSM	Transportation Systems Management
UCB	Upper Control Bound – In statistical process control the upper control bound represents a highest level of variance from the average that is expected. 99% of measured values should be below the UCB. (See LCB)
UPWP	Unified Planning Work Program- The Metropolitan Planning Organization's Annual Work Plan
USC	United States Code
VDEQ	The Virginia Department of Environmental Quality
VDOT	The Virginia Department of Transportation
VDRPT	See DRPT
VMT	Vehicle Miles of Travel (1 car driving 1 mile is 1 VMT. 20 cars driving 10 miles each is 200 VMT.
VOC	Volatile Organic Compound – a chemical compound that contributes to the formation of ground level ozone. These may be naturally occurring or the result of industrial processes.
WTP	Well to Pump
WTW	Well to Wheel

## Revisions

For Fiscal Year 2022

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Revision Number	Date	Description of Action
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